

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR
A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Christopher Page, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent for the Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI) and I am currently assigned to the Richmond Office. I have been employed by HSI since December 2019, and I have attended classes and courses conducted by local, state, and federal agencies regarding the importation, transportation, and distribution of illegal drugs. I have completed the Criminal Investigator Training Program and the HSI Special Agent Training program at the Federal Law Enforcement Training Center in Glynco, Georgia. Prior to assuming my position with HSI, I was employed as a State Trooper with the Virginia Department of State Police (VSP) for eight years. During my time as a State Trooper, I was trained to investigate many types of state violations of law to include motor vehicle and criminal statutes. Specifically, I spent six years as a State Trooper assigned to the Counter-Terrorism and Criminal Interdiction Unit (CCI). While assigned to CCI, I investigated numerous incidents of narcotics, currency, firearm smuggling as well as other types of interstate smuggling, and immigration law violations.

2. This affidavit is intended to show only that there is sufficient probable cause for the requested complaint and warrant and does not set forth all of my knowledge about this matter. The information provided is based upon my personal knowledge, or that of other sworn law enforcement officers participating in this investigation.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that Samuel XUX-MUCU, a/k/a Gabriel XUX-MUCU, a/k/a Samuel XUX-MUCA (hereafter "XUX-MUCU") – a citizen of Guatemala – has committed a violation of 18 U.S.C. § 1546 to wit, possession of fraudulent permits and other documents.

PROBABLE CAUSE

4. On April 11, 2022, XUX-MUCU, a citizen of Guatemala, was encountered by United States Border Patrol Agents at/near Rio Grande Valley, Texas. XUX-MUCU entered the United States illegally at/near the Mexico/Texas border not at a place designated by the Secretary of Homeland Security without being admitted or paroled. At that time, XUX-MUCU was processed and given a Notice to Appear as per section 212(a)(6)(A)(i)(I) of the Immigration and Nationality Act.

5. On December 4, 2024, Henrico County, Virginia police arrested XUX-MUCU and charged him with two counts of Assault and Battery of a Family Member in violation of Virginia Code 18.2-57.2, and Monument: Intentional Damage, value of less than \$1,000, in violation of Virginia Code 18.2-137. The disposition of these charges are pending. Henrico County Police located the false documents on XUX-MUCU's person subsequent to arrest.

6. On February 24, 2025, Immigration and Customs Enforcement ("ICE"), Enforcement and Removal Office ("ERO") Deportation Officer ("DO") R. Davila took XUX-MUCU into custody after XUX-MUCU bonded out of the Henrico County, Virginia jail. Upon taking possession of XUX-MUCU's property, DO Davila observed a Guatemalan identification card bearing XUX-MUCU's information, a Social Security card bearing XUX-MUCU's name and Social Security Number ("SSN") 397-89-6521, and a United States of America Permanent Resident card bearing XUX-MUCU's information along with, among other things, an Alien number listed as 090-128-349. The Permanent Resident card is a document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States.

7. Systems checks were completed on XUX-MUCU's identifiers and XUX-MUCU does not have any pending claims or immigration status in the United States. Systems checks for Alien number 090-128-349 returns to another individual, not XUX-MUCU. Systems checks for SSN

397-89-6521 were completed in DHS held databases and no returns were generated, which indicates that this is not XUX-MUCU's SSN.

8. A review of the Permanent Resident card showed the following information to be fraudulent: the USCIS# (this number is the same as the Alien number issued), the category code (W16), and the "resident since" date, listed as February 16, 2017. As previously stated, the Alien number/USCIS# returned to an individual not XUX-MUCU. Category code W16 is used for an individual who entered the United States without inspection before January 1, 1982. XUX-MUCU was born after this date, and as previously stated, entered the United States on April 11, 2022. Moreover, based on XUX-MUCU illegal entry date of April 11, 2022, XUX-MUCU could not have been a Permanent Resident since February 16, 2017.

CONCLUSION

9. Based on the aforementioned information, I respectfully submit there is probable cause to believe that XUX-MUCU committed a violation of 18 U.S.C. § 1546 to wit, possession of fraudulent permits and other documents.

Respectfully submitted,



Christopher Page
Special Agent
Homeland Security Investigations

Sworn and subscribed to before me on March 11, 2025, in Richmond, Virginia.



Hon. Summer L. Speight
United States Magistrate Judge